

# COMMISSION OF THE EUROPEAN COMMUNITIES

COM (83) 104 final

Brussels, 2 March 1983

Draft of a

DECISION OF THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES OF  
THE EUROPEAN COAL AND STEEL COMMUNITY, MEETING WITHIN THE COUNCIL

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establishing ceilings and Community supervision for imports of certain goods  
originating in Yugoslavia  
(1983)

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EXPLANATORY MEMORANDUM

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1. The Agreement between the Member States of the European Coal and Steel Community and the European Coal and Steel Community on the one hand and the Socialist Federal Republic of Yugoslavia on the other hand provides for dutyfree import into the Community of certain steel products falling under Chapters 26, 27 and 73 of the Common Customs Tariff and originating in Yugoslavia. As an exception to this provision Article 3 stipulates that the imports of some of these goods shall be subject to ceilings above which the customs duties applicable to third countries may be reintroduced until the end of the calendar year (1).

2. The draft Decision joined hereto has as its objective :

- to establish the ceilings to be applied in 1983 for imports of certain steel products originating in Yugoslavia ;
- to establish the rules **under** which customs duties may be reintroduced under certain conditions and
- to establish a system of surveillance relating to imports of the product subject to ceilings and to certain other products.

3. Implementation of these two measures :

- (a) annual ceilings, and
- (b) reintroduction of customs duties ;

implies the adoption of precise common rules to be applied uniformly by all Member States. These requirements may be met by the establishment of a Community system of surveillance of actual imports from the partner country. To this end, the Member States should take appropriate measures to permit the rapid collection of statistical returns at Community level. In this connection it is necessary to take into account only imports of the products in question as and when they are entered with Customs authorities for free circulation and accompanied by a movement certificate conforming to the rules contained in the Agreement referred to under 1 above.

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(1) The amounts of certain of these ceilings have been increased autonomously by DECISION OF THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES OF THE EUROPEAN COAL AND STEEL COMMUNITY MEETING WITHIN THE COUNCIL of ..... 1983 laying down the arrangements applicable to trade between Greece and Yugoslavia in products covered by that Community.

These returns should be drawn up by each Member States at the end of every month and forwarded by the fifteenth day of the following month to the Commission so as to enable the latter to communicate to all the Member States the overall, product-by-product returns for the imports in question in the preceding month. The system of surveillance will require diligent and close co-operation between the responsible departments of the Member States and the Commission.

4. The following system would be adopted for setting in train machinery to reintroduce duties : if one of the overall monthly returns drawn up by the Commission revealed that 75 % of the ceiling fixed for a given product had been reached, consultations could be held, for example in the working Party on Economic Tariff Problems, either at the request of a Member State or upon the Commission's initiative. The aim of these consultations would be to examine, case by case, the reintroduction or not of the levying of customs duties applicable to third countries once the ceiling is actually reached.

Monthly returns would still be made in respect of imports of the product in question or, if requested by the Commission, by telex at intervals of ten days. The maximum delay for the transmission of this last mentioned information is five days.

5. As far as application of the rule on ceilings and reintroduction of duties is concerned, the draft makes provisions for conferring powers of the Council upon the Commission.

In these conditions the Commission would be able, within the shortest possible time, either to take measures leading to the reintroduction of customs duties in respect of the partner country until the end of the calendar year, or to coordinate the necessary procedures in the case of the initiative being taken by a Member State.

The draft Decision does no more than outline in broad terms how these powers are to be exercised so that, the machinery to be established may be adapted flexibly and rapidly, in close collaboration with the Member States.

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Annex

1 Draft Decision

Draft of a  
DECISION  
OF THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER  
STATES OF THE EUROPEAN COAL AND STEEL COMMUNITY, MEETING  
WITHIN THE COUNCIL,

establishing ceilings and Community supervision for imports of  
certain goods originating in Yugoslavia (1983)

THE REPRESENTATIVES OF THE GOVERNMENTS  
OF THE MEMBER STATES OF THE EUROPEAN  
COAL AND STEEL COMMUNITY, MEETING WITHIN  
THE COUNCIL,

In agreement with the Commission,

HAVE DECIDED AS FOLLOWS :

Article 1

1. Imports of certain products originating in Yugoslavia and indicated in Article 3 of the Agreement between the Member States of the European Coal and Steel Community and the European Coal and Steel Community, of the one part, and the Socialist Federal Republic of Yugoslavia (1) of the other part, shall be subject to annual ceilings and to Community supervision from 1 April to 31 December 1983. For 1983 the ceilings are to be applied "prorata temporis".

The description of the goods referred to in the preceding subparagraph, their tariff headings and statistical numbers and the levels of the indicative ceilings are given in the Annex of this Decision.

2. Amounts shall be set off against the ceilings as and when the goods are entered with customs authorities for free circulation and accompanied by a movement certificate conforming to the rules contained in Protocol 3 to the Cooperation Agreement between the Common Economic Community and the Socialist Federal Republic of Yugoslavia (2)

Goods shall be set off against the ceiling only if the movement certificate has been submitted before the date on which customs duties are reimposed.

The reaching of a ceiling shall be determined at Community level on the basis of imports set off against it in the manner defined in the preceding subparagraphs.

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(1) OJ

(2) OJ

The Member States shall periodically inform the Commission of imports effected in accordance with the above rules; such information shall be supplied under the conditions laid down in paragraph 4.

3. As soon as the ceilings are reached at Community level, the Member States may at any time, at the request of anyone of them or of the Commission and in respect of the whole of the Community reintroduce the levying of the customs duties applicable to third countries.

In the case of such a reimposition, Greece shall reintroduce the levying of the customs duties which it applies to third countries at the date in question.

Within the framework of the foregoing provisions, the Commission shall coordinate the procedures for reintroducing the customs duties applicable to Yugoslavia, in particular by notifying the date common to the whole of the Community and directly applicable in each Member State. This notification shall be published in the *Official Journal of the European Communities*.

4. Member States shall forward to the Commission not later than the 15th day of each month statements of the amounts set off during the preceding month. They shall, if the Commission so requests, make up such statements for periods of 10 days and forward them within five clear days of expiry of the preceding 10-day period.

#### Article 2

From 1 April to 31 December 1983 imports of the goods originating in Yugoslavia referred to in the Annex for which the ceiling level is not specified shall be subject to Community supervision.

Member States shall forward to the Commission not later than the 15th day of each month statements of imports of the products in question effected during the preceding month; to this end, only products submitted to the customs authorities under cover of an entry for free circulation and accompanied by a movement certificate conforming to the rules contained in Protocol 3, indicated in Article 1 (2).

They shall, if the Commission so requests, make up import statements for periods of 10 days and forward them within five clear days of expiry of the preceding 10-day period.

Article 3

The Member States and the Commission shall cooperate closely to ensure that this Decision is complied with.

Article 4

The Member States shall take all measures required to implement this Decision.

Article 5

This Decision shall enter into force on 1 April 1983.

Done at Brussels,

The President

Order No	CCT heading No	Description	NIMEXE code	Level of ceiling (tonnes)
1	2	3	4	5
ECSC 1	26.01	<b>Metallic ores and concentrates and roasted iron pyrites:</b> A. Iron ores and concentrates and roasted iron pyrites:  II. Other B. Manganese ores and concentrates, including manganiferous iron ores and concentrates with a manganese content of 20% or more by weight	26.01-15,18,19 26.01-21,29	—
ECSC 2	26.02	<b>Slag, dross, scalings and similar waste from the manufacture of iron or steel:</b> A. Blast-furnace dust	26.02-10	—
ECSC 3	27.01	<b>Coal; briquettes, ovoids and similar solid fuels manufactured from coal</b>	27.01 - all Nos	—
ECSC 4	27.02	<b>Lignite, whether or not agglomerated</b>	27.02 - all Nos	—
ECSC 5	27.04	<b>Coke and semi-coke of coal, of lignite or of peat, whether or not agglomerated; retort carbon:</b> A. Coke and semi-coke of coal:  II. Other B. Coke and semi-coke of lignite	27.04-19 27.04-30	—
ECSC 6	73.01	<b>Pig iron, cast iron and spiegeleisen, in pigs, blocks, lumps and similar forms:</b> A. Spiegeleisen B. Haematite pig iron and cast iron C. Phosphoric pig iron and cast iron D. Other pig iron and cast iron: II. other	73.01-10 73.01-21,23,25,27 73.01-31,35 73.01-49	14 983
ECSC 7	73.02	<b>Ferro-alloys:</b> A. Ferro-manganese: I. Containing more than 2% by weight of carbon (high carbon ferro-manganese)	73.02-01,09	—
ECSC 8	73.03	<b>Waste and scrap metal of iron or steel</b>	73.03 - all Nos	—



Order No	CCT heading No	Description	NIMEXE code	Level of ceiling (tonnes)
1	2	3	4	5
ECSC 9	73.05	Iron or steel powders; sponge iron or steel: B. Sponge iron or steel	73.05-20	—
ECSC 10	73.06	Puddled bars and pilings; ingots, blocks, lumps and similar forms, of iron or steel	73.06 - all Nos	—
ECSC 11	73.07	Blooms, billets, slabs and sheet bars (including tinplate bars), of iron or steel; pieces roughly shaped by forging, of iron or steel: A. Blooms and billets: I. Rolled B. Slabs and sheet bars (including tinplate bars): I. Rolled	73.07-12  73.07-21,24	—
ECSC 12	73.08	Iron or steel coils for re-rolling	73.08 - all Nos	21 751
ECSC 13	73.09	Universal plates of iron or steel	73.09 - all Nos	—
ECSC 14	73.10	Bars and rods (including wire rod), of iron or steel, hot-rolled, forged, extruded, cold-formed or cold-finished (including precision-made); hollow mining drill steel: A. Not further worked than hot-rolled or extruded  D. Clad or surface-worked (for example, polished, coated): I. Not further worked than clad: a) Hot-rolled or extruded	73.10-11,13, 16,18       73.10-42	14 332

Order No	CCT heading No	Description	NIMEXE code	Level of ceiling (tonnes)
1	2	3	4	5
ECSC 15	73.11	<p>Angles, shapes and sections, of iron or steel, hot-rolled, forged, extruded, cold-formed or cold-finished; sheet piling of iron or steel, whether or not drilled, punched or made from assembled elements:</p> <p>A. Angles, shapes and sections:</p> <p>I. Not further worked than hot-rolled or extruded</p> <p>IV. Clad or surface-worked (for example, polished, coated):</p> <p>a) not further worked than clad:</p> <p>1. Hot-rolled or extruded</p> <p>B. Sheet piling</p>	<p>73.11-11,12,14,16,19</p> <p>73.11-41</p> <p>73.11-50</p>	<p>2 046</p>
ECSC 16	73.12	<p>Hoop and strip, of iron or steel, hot-rolled or cold-rolled:</p> <p>A. Not further worked than hot-rolled</p> <p>B. Not further worked than cold-rolled:</p> <p>I. In coils for the manufacture of tinplate</p> <p>C. Clad, coated or otherwise surface-treated:</p> <p>III. Tinned:</p> <p>a) Tinplate</p> <p>V. Other (for example, copper-plated, artificially oxidised, lacquered, nickel-plated, varnished, clad, parkerised, printed):</p> <p>a) Not further worked than clad:</p> <p>1. Hot-rolled</p>	<p>73.12-11,19</p> <p>73.12-21</p> <p>73.12-51</p> <p>73.12-71</p>	<p>4 228</p>

Order No	CCT heading No	Description	NIMEXE code	Level of ceiling (tonnes)
1	2	3	4	5
ECSC 17	73.13	<p>Sheets and plates, of iron or steel, hot-rolled or cold-rolled:</p> <p>A. "Electrical" sheets and plates:</p> <p>73.13-11,16</p> <p>B. Other sheets and plates:</p> <p>I. Not further worked than hot-rolled</p> <p>73.13-17,19,21,23,26,32,34,36</p> <p>II. Not further worked than cold-rolled, of a thickness of:</p> <p>b) More than 1 mm but less than 3 mm</p> <p>73.13-43,45</p> <p>c) 1 mm or less</p> <p>73.13-47,49</p> <p>III. Not further worked than burnished, polished or glazed</p> <p>73.13-50</p> <p>IV. Clad, coated or otherwise surface-treated:</p> <p>b) Tinned:</p> <p>73.13-64,65</p> <p>c) Zinc-coated or lead-coated</p> <p>73.13-67,68,72,74</p> <p>d) Other (for example, copper-plated, artificially oxidised, lacquered, nickel-plated, varnished, clad, parkerised, printed)</p> <p>73.13-76,78,79,82,84,86,87,88,89</p> <p>V. Otherwise shaped or worked:</p> <p>a) Cut into shapes other than rectangular shapes, but not further worked:</p> <p>2. Other</p> <p>73.13-92</p>		26 214

Order No	CCT heading No	Description	NIMEXE code	Level of ceiling (tonnes)
1	2	3	4	5
ECSC 18	73.15	<p>Alloy steel and high carbon steel in the forms mentioned in headings Nos 73.06 to 73.14:</p> <p>A. High carbon steel:</p> <p>I. Ingots, blooms, billets, slabs and sheet bars:</p> <p>b) Other:</p> <p>III. Coils for re-rolling</p> <p>IV. Universal plates</p> <p>V. Bars and rods (including wire rod) and hollow mining drill steel; angles, shapes and sections:</p> <p>b) Not further worked than hot-rolled or extruded</p> <p>d) Clad or surface-worked (for example, polished, coated):</p> <p>1. Not further worked than clad:</p> <p>aa) Hot-rolled or extruded</p> <p>VI. Hoop and strip:</p> <p>a) Not further worked than hot-rolled</p> <p>c) Clad, coated or otherwise surface-treated:</p> <p>1. Not further worked than clad:</p> <p>aa) Hot-rolled</p> <p>VII. Sheets and plates:</p> <p>a) Not further worked than hot-rolled</p> <p>b) Not further worked than cold-rolled, of a thickness of:</p> <p>2. Less than 3 mm</p> <p>c) Polished, clad, coated or otherwise surface-treated</p> <p>d) Otherwise shaped or worked:</p> <p>1. Cut into shapes other than rectangular shapes, but not further worked</p>	<p>73.61-20,50</p> <p>73.62-10</p> <p>73.62-30</p> <p>73.63-21,29</p> <p>73.63-72</p> <p>73.64-20</p> <p>73.64-72</p> <p>73.65-21,23,25</p> <p>73.65-55</p> <p>73.65-70</p> <p>73.65-81</p>	<p>14 280</p>

Order No	CCT heading No	Description	NIMEXE code	Level of ceiling (tonnes)
1	2	3	4	5
ECSC (cont'd)	73.15 (cont'd)	<p>B. Alloy steel:</p> <p>I. Ingots, blooms, billets, slabs and sheet bars:</p> <p>b) others:</p> <p>1. Ingots:</p> <p>bb) autres</p> <p>2. Blooms, billets, brames, targets</p> <p>III. Coils for re-rolling</p> <p>IV. Universal plates</p> <p>V. Bars and rods (including wire rod) and hollow mining drill steel; angles, shapes and sections:</p> <p>b) Not further worked than hot-rolled or extruded</p> <p>d) Clad or surface-worked (for example, polished, coated):</p> <p>1. Not further worked than clad:</p> <p>aa) Hot-rolled or extruded</p> <p>VI. Hoop and strip:</p> <p>a) Not further worked than hot-rolled</p> <p>c) Clad, coated or otherwise surface-treated:</p> <p>1. Not further worked than clad:</p> <p>aa) Hot-rolled</p> <p>VII. Sheets and plates:</p> <p>a) "Electrical" sheets and plates</p> <p>b) other sheets and plates:</p> <p>1. not further worked than hot-rolled</p> <p>2. not further worked than cold-rolled, of a thickness of:</p> <p>bb) Less than 3 mm</p> <p>3. Polished, clad, coated or otherwise surface-treated</p> <p>4. Otherwise shaped or worked:</p> <p>aa) cut into shapes other than rectangular shapes, but not further worked</p>	<p>73.71-23,24,29</p> <p>73.71-53,54,55</p> <p>73.72-11,13,19</p> <p>73.72-33,39</p> <p>73.73-23,24,25,26,29,33,34,35,36,39</p> <p>73.73-72</p> <p>73.74-21,23,29</p> <p>73.74-72</p> <p>73.75-11,19</p> <p>73.75-23,24,29,33,34,39,43,44,49</p> <p>73.75-63,64,69</p> <p>73.75-73,79</p> <p>73.75-83,84,89</p>	<p>see previous page</p>

Order No	CCT heading No	Description	NIMEXE code	Level of ceiling (tonnes)
1	2	3	4	5
ECSC 19	73.16	<p>railway and tramway track construction material of iron or steel, the following: rails, check-rails, switch blades, crossings (or frogs), crossing pieces, point rods, rack rails, sleepers, fish-plates, chairs, chair wedges, sole plates (base plates), rail clips, bedplates, ties and other material specialised for joining or fixing rails:</p> <p>A. Rails:</p> <p>II. Other:</p> <p>B. Check-rails</p> <p>C. Sleepers</p> <p>D. Fish-plates and sole plates:</p> <p>I. Rolled</p>	<p>73.16-14, 16, 17</p> <p>73.16-20</p> <p>73.16-40</p> <p>73.16-51</p>	